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Attorneys for Plaintiffs
NUTRAMAX LABORATORIES, INC. and
NUTRAMAX LABORATORIES VETERINARY SCIENCES, INC.



UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

NUTRAMAX LABORATORIES,
INC. and
NUTRAMAX LABORATORIES
VETERINARY SCIENCES, INC..

Plaintiffs,

V.

REDDOG HEALTH, INC.,

Defendant

Case No. 3:19-CV-00868-EJD
Judge: The Honorable Edward J. Davila

JOINT STIPULATION OF VOLUNTARY DISMISSAL

WHEREAS, Plaintiffs Nutramax Laboratories, Inc. (“Nutramax Labs”) and Nutramax Laboratories Veterinary Sciences, Inc. (“Nutramax Vet Sciences”) (collectively, with Nutramax Labs, “Nutramax”) sued Defendant RedDog Health, Inc. (“RedDog”) in the United States United States District Court for the Northern District of California alleging that RedDog’s products labeled Liver Support Gel (“LSG”), as described in the Complaint (D.I. 1), infringe one or more claims of the asserted patents (as defined in the Complaint (D.I. 1), *i.e.*, U.S. Patent Number 6,555,141, U.S. Patent Number 6,863,906, and U.S. Patent Number 7,563,779);

WHEREAS, this action was assigned Civil Action Number 5:19-CV-00868-EJD (the “Pending Case”);

WHEREAS, Nutramax moved for Entry of Default on April 15, 2019 (D.I. 9);

WHEREAS, the Clerk noticed Entry of Default on April 17, 2019 (D.I. 10);

WHEREAS, Nutramax moved for a Default Judgment on June 21, 2019 (D.I. 19);

WHEREAS, counsel for RedDog entered an appearance on June 27, 2019 (D.I. 28);

WHEREAS, RedDog filed a Stipulation for Continuance on June 27,

1 2019 (D.I. 29);

2 WHEREAS, RedDog filed a Motion to Set Aside Default on June 28,

3 2019 (D.I. 30);

4 WHEREAS, RedDog filed a renewed Stipulation for Continuance on

5 June 28, 2019 (D.I. 31);

6 WHEREAS, the Court granted the Stipulation for Continuance (D.I. 31)

7 on June 29, 2019 (D.I. 32);

8 WHEREAS, counsel for Nutramax and counsel for RedDog have met

9 and conferred regarding the status of the Pending Case and the underlying

10 dispute;

11 WHEREAS, based on those discussions, the Parties have entered into a

12 confidential settlement agreement to resolve the dispute in the Pending Case;

13 and

14 WHEREAS, based on the covenants and representations below, the

15 Parties have agreed to voluntarily dismiss the Pending Case with prejudice

16 under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

17 THEREFORE, IT IS STIPULATED AND AGREED, by and between

18 the Parties that:

19 1. The parties have entered into a confidential settlement agreement,

20 signed by Nutramax on July 17, 2019, and by RedDog on July 17, 2019; and

1 2. This action be DISMISSED WITH PREJUDICE under Federal
2 Rule of Civil Procedure 41(a)(1)(A)(ii).

3
4 Dated: July 17, 2019

Respectfully submitted,

5
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RedDog Health, Inc.

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